

Feb. 1847  
BENOIST 1

(16)

Justin Joseph

vs

John Brill admr

& Bernard Benoit admr

filed this 1<sup>st</sup> day  
of February 1847

W. G. Evans clk

Justine Joseph

vs. In the Court of Probates of Harrison  
County State of Mississippi  
John Brill Adam & Bernard Benoit  
to the February Term A.D. 1847

Direct Interrogatories to be propounded  
to Barthelime Grilot a Citizen of Mobile County State of  
Alabama a material witness in the above case and whose  
answers will be read as evidence on the part of defendants  
on the trial of the above case.

Interrog. 1<sup>st</sup> are you acquainted with the parties of this suit if you  
state how long you have been acquainted with Justine  
Joseph Alias Francois Bongarcon the Complainant in  
this suit

2<sup>nd</sup> Did or did you not know Bernard Benoit Sen. late  
of the County of Harrison State of Mississippi if you state  
when you first became acquainted with him; did you or  
not know his father and mother if you state who they were  
White or Black and at the time of the birth of said Bernard  
Benoit deceased they were free or Slaves if they were married  
Lawfully or not.

3<sup>rd</sup> had to your knowledge the said Bernard deceased  
any brothers or Sisters if you state whether they were  
brothers or Sisters or both if they were older or younger than  
him if they were free or Slaves, if any of them were lawfully  
married and to whom.

4<sup>th</sup> What relation or kin is the present Complainant Justine  
Joseph to the said Bernard Benoit deceased do you or not  
know his father and mother who are they what relation  
does either of them bear to said Bernard deceased are they  
Lawfully married.

5<sup>th</sup> under this Interrogatory state all you know which  
may be of advantage to defendants as fully as if especially  
interrogated there on

J. C. Mount & D. W. Hurst  
attorneys for defendants

Prop Interrogatories propounded on the part of the ~~Defen~~ Plaintiff -

Prop Interrogatory first. If You answer the said Interrogatories, that you did know the Father & mother of Gestein Joseph. Please state whether they did not live together as husband & wife

Prop Interrogatory second. Was your acquaintance with the Father and mother of Gestein - Joseph so intimate and close, that they could not be married without your knowledge, and were they not husband and wife by reputation when they resided

Prop Interrogatory third. Under this please state fully do you know that may benefit the complainant -

W. A. Champlin  
Atty for Compt

Justice Joseph  
vs  
John Brill adm- &c  
& Bernard Benoit-jr

Benoit  
In the Court of Probates of Harrison Co  
Sitting at Mississippi City

We the Counsels for the Plaintiffs and  
defendants respectively agree that a Commission if no,  
directed to the State Commissioner in Mobile if any is appointed  
or to a person whose name shall be left blank but who shall  
be a person appointed and authorized to administer an oath under  
the constitution of the State of Alabama, forthwith and we hereby  
waive the notice required by law authorizing the Clerk to issue the  
Commission on the filing of the annexed interrogatories waiving all  
objections to notice form, or manner of taking the deposition of  
Barthelemi Grelet allowing however all objection to illegal question  
or answers which may be made on both sides respectively

J. C. Monet D. W. Hurst  
attorneys for Defendants

I agree to the above with the exception of  
waiving any objections to the "manner  
of taking the deposition" which must  
be done before some officer authorized to  
administer an oath and in accordance  
with the principles of Law.

W. A. Champlin  
att'y for Compt



DEMOIST 6  
In the Court of Probates of Harrison County

Justine Joseph

John Brill adm-

Answer

11

Filed November 24<sup>th</sup>  
A D 1845

W. H. Harris Clerk

PASCAGOULA LIBRARY  
GENEALOGY COLLECTION

John Brill

advs

Justine Joseph

In the Probate Court of Harrison County  
of November Term A.D. 1855

The Answer of John Brill administrator of all the goods and chattels rights and credits which were of Bernard Benoit Sen deceased at the time of his death to the petition of Justine Joseph complainant in this suit.

This respondent saving and reserving to himself the right of exceptions to the many errors impositions and misstatement in said bill of complaint contained for answer thereto or so much thereof as he is advised is material to answer Answers and says. That he admits it to be true that he has been appointed the administrator of said Bernard Benoit's estate that there are but few debts due by the estate, that said Bernard Benoit deceased left at his death a considerable estate consisting of negroes, cattle, horses farming utensils &c that he died intestate, he further admits that more than twelve months have elapsed since the granting of the letters of administration to him but he denies that complainant is either heir at law or next of kin, although he admits that said Bernard died without any lawful issue, and he charges that Bernard Benoit's mother died without having ever been married and that the said complainant is a descendant of the said Bernard Benoit's sister who was an illegitimate child and who was never married herself therefore incapable of inheriting or transmitting the right to inherit to her descendants.

This respondent having fully answered denies all frauds and combinations and call upon the Complainant for full and distinct proof of all the allegation of his said petition not here expressly admitted and prays to be dismissed hence with his reasonable cost &c

D. W. Hunt

for respondent

E. J. Youngers

Atty for John Brill

Adm

# Frank Snell dies at 30 years; services today

Funeral services will be held Tuesday at 10 a.m. at Big Point Methodist Church for Frank Snell, 30, who died Sunday in Columbia. A native and lifelong resident of Big Point, he had been in ill health for several years and was hospitalized at Columbia. The Rev. Jack Troutman, pastor of the church of which he was a member, will officiate at the services. Interment will follow at Big Point Cemetery. Survivors include her husband, two brothers O. B. Cunningham of Chattanooga, W. P. Cunningham of Lucedale; two sisters Mrs. Fannie Jones of Hurley and Mrs. W. G. Reynolds of San Francisco, Calif. Falls Funeral Home of Moss Point is in charge of arrangements.

# Native of England Mrs. Alice Ames dies at age of 93

Time has not been set for funeral services at Grenada Wednesday for Mrs. Alice Marie Ames, 93, who was dead on arrival at Singing River Hospital Sunday at 8:30 p.m. A native of England, she lived at Grenada 55 years, for the past three years had made her home with a daughter Mrs. Otis Benoist at 824 Jackson Avenue in Pascagoula. She was a charter member of Grenada Eastern Star and of All Saints Episcopal Church at Grenada. The Rev. Mike Engle, pastor of the church of which she was a member, will officiate at services. She is also survived by a son Bernard William Ames of Berkley, Mich., a sister Miss Ethel Green of Canada, two grandchildren and two great-grandchildren. Falls Funeral Home at Pascagoula is in charge of arrangements.

# AN ADULT EXPERT, with the fire building other scouts, this practicing carpenter, at scout and his patrol.

troop 220, A. A. Turner; 25, C. C. Mergensroer; 27, Ray Dyer; troop 122, Nelson; troop 230, Fred b; troop 235, Donald ningham; troop 238, D. E. berg; and troop 237, Watts. ges for various scoutcraft s were: Matt Boykin, El- town, and Cleve Bond. er leaders were Chester camp director; Tom Kin- campfire director; and vers of the camping and ties committee: Ted Pre- Ken Brian, Pete Fairley, Bradshaw, and Wallace

Theft In Fantasyville  
OENIX, Ariz. (AP) — If's deputies are search- or a thief with a yen for street names. ren signs were taken from abdivision during one 's raid. The signs read: hless Drive, Mule Train

# RED HAT SPECIAL

# At Weaver Moto



# SAVE A PILE

OPEN TILL 8 P.M.

# ON THESE CARS

'58 OLDS Super '88 4-dr. fully equipped, full power and air conditioning, very nice. <b>SAVE \$300</b>	'59 PONTIAC Catalina 4-dr. Hardly fully equipped, very beautiful cherry mar finish. <b>SAVE \$400</b>
<b>\$1195</b>	<b>\$1495</b>
'61 RAMBLER Super "6", 4-dr. like new, one owner, out short time, radio, heater, W-tires. <b>SAVE OVER \$600</b>	'61 COMET Economy "6", 4-dr., new, one owner, out short time, very sharp every w heater, W-tires, stands transmission, perfect. <b>SAVE OVER \$700</b>
<b>\$1795</b>	<b>\$1695</b>

POULA LIBRARY GENEALOGY COLLECTION

Proceeding in the Probate Court of Washington  
County State of Mississippi at a Special Term  
of said Court held at the Court House in the City  
of Natchez Miss. being the 14th day of June  
1845 The Honorable Samuel S. Henry Judge  
of said Court Presiding John Henry Deputy  
Sheriff & George C. Richards Clerk



The State of Mississippi In the Probate Court of  
Harrison County ss. 3d said County 16 March  
Special Term A.D. 1848

Be it remembered that on the 2<sup>nd</sup> day of  
November A.D. 1848 Yester Joseph filed his petition in the  
Probate Office of the Probate Court of Harrison County  
State of Mississippi and the words and figures following  
to wit.

State of Mississippi To the Hon. Wm. J. J. J.  
Harrison County } of the Probate Court of the said  
County

The Petition of Yester Joseph a resident of  
the City of Mobile Would respectfully show unto your  
Honor that he is the only heir at Law and next of kin  
of Bernard Benoit decd. late of the said County. That  
the said Bernard died Intestate leaving no lawful  
issue. That John Brill has been appointed  
Administrator of said Bernard. That there is no debt  
against said Bernard's Estate of any consequence. That  
he left a considerable amount of personal property  
consisting of Negroes Stock Farming utensils and  
other property, as may be seen by reference to the  
Inventory proceedings on the said Estate in your Honor's  
Court. Your petitioner would further show that more  
than twelve months have elapsed since the granting  
Letters of Administration to said Administrator  
and that he has not yet made distribution of the same.

And your petitioner prays that you will order  
said Administrator to make distribution of said  
Bernard's Estate to your Petitioner and as in and  
according to your Petitioner will ever pray &c.

W. L. Stanley atty. at law

M. A. Chapman atty. at law

Personally appeared in open Court M. A. Chapman

attorney for Yeston Joseph and being duly sworn  
deposed and said that all the facts set forth as of his  
own knowledge are true, and those stated as derived  
from others he believes to be true.

Given to in open Court M. A. Chauplin  
M. L. Leamy tell

And on the 2nd of August 1844  
Suma filed in the aforesaid Office of the aforesaid  
County and State a Petition to be made a party to  
the Suit pending in favor of Yeston Joseph M.  
John Brill Administrator which petition is in the  
words and figures following to wit.

The State of Mississippi In the Court of Probate  
Harrison County 3 August Term A.D. 1844

To the Honorable George Worley Judge of the Court of  
Probate of said County.

The Petition of Bernard Benoit  
a defendant of said County of Harrison and State of  
Mississippi respectfully sheweth unto your honor, That  
at the November Term of this Honorable Court at certain  
Yeston Joseph of the City of Mobile State of Alabama  
by attorney filed a petition in this Court praying distribution  
to him of the Estate of Bernard Benoit deceased  
next of him and legal heir. Your Petitioner who is the  
natural son of said deceased having by an act of  
Legislature of the State of Mississippi approved  
February 13<sup>th</sup> 1844 had all the rights title and interest

of the Estate of Mississippi to said Estate of Bernard  
Benoit transferred and assigned to him and  
said Bernard Benoit now having died without legal  
issue next of him or legal lineal heirs and Your  
Petitioner having had all the rights of legal heir  
vested in him by said act of the Legislature is well  
satisfied that no other heir but himself exist and

being desirous to be able to contest the claims of said  
 Yeston Joseph your Petitioner. Therefore prays your honor  
 to grant him a rule upon the Complainant at some short  
 term by this honorable Court appointed to make a party  
 to his bill or petition or show Cause to the Court why your  
 Petitioner should not be made a party to said petition  
 and if the complainant shall fail to make  
 petition a party or to show Cause at the expiration of  
 the rule, his suit be dismissed - and your Petitioner  
 as in duty bound will ever pray &c

his  
 Bernard X. Bennett  
 mark

J. B. Wood, Solicitor

The State of Mississippi

Harrison County

3 Personally Came in open Court

Bernard Bennett Junior who on his Oath says that  
 the matter set forth in the foregoing petition are true

to the best of his knowledge and belief  
 Given to in open Court

Bernard X. Bennett  
 mark

August Term A.D. 1844

McClellan City

upon the reading of said petition the Probate Court  
 made the following order at its August Term A.D. 1844

Bernard Bennett vs Yeston Joseph Occupation of Bernard  
 Bennett Jr to be made a party to the suit now pending

between Yeston Joseph and John Brill Administrators  
 of the Estate of Bernard Bennett Jr deceased It is

ordered that Yeston Joseph shall make the said petition  
 a party or show Cause

or show Cause to the Court and if Cause be shown  
 contrary should be shown that a copy thereof be served

upon the opposite party or his attorney of record in any  
 previous to the expiration of said rule And this shall

Yeston Joseph by his Solicitor on the 13th of November  
 1844 filed on the office of the Probate Court of Harrison



County State of Mississippi an answer to the before mentioned  
Petition of Bernard Benoit Jr. in the words and figures  
following to wit

The State of Mississippi In the Court of Probate  
Harrison County 3 November Term AD 1844

3. A veritable term A.D. 1844  
The arrival of Yeshu Israel to the Isle of Britain of  
the 1st of September 1844 to so much the of which  
I am sure is a great blessing to the world.  
Sincerely,  
Yours,

That it is true that at The November Term of your  
Honorable Court 1843 Your Petitioner by his solicitor and  
file his petition praying distribution to him, as the legal  
heir and next of kin to Bernard Benoit deceased late  
of said County and your petitioner still asserts and  
believes that he is the next of kin and legal heir to said  
deceased, and entitled to distribution as prayed for in his  
original petition to your Honorable Court

that Peter and further answering that the  
said Bernard is a slave of the said  
party to his suit against the Administrator of said  
Estate, because he says that at the time of filing  
said petition and at this time the said Bernard  
is a slave, the property of said Estate, and as such  
has been inventoried and returned by the Administrator  
of said Estate, because if the said petitioners have any  
rights they are only contingent and depend upon a  
contingency which has not yet happened. Therefore  
the interest of said Estate existing to the said Bernard

P. P. Weston, your son-in-law, has been informed by  
the executor and the administrator, your respondent,  
claiming to be the legal heir and next of kin of the  
said decedent.

Your respondent further avers, that the Legislature of the State of Mississippi have not power



to take away the rights of your respondent and to substitute another person as heir to said Estate or to take any control of said Estate, until your Honorable Court shall finally decide upon rights of your respondent. Your Respondent further answering saith that he denies that the said Petitioner is the natural son of the said decedent or that the said decedent died in the community of property with the said Petitioner and that he has no right herein in law or in equity. The Legislature refused to in his petition, and generally denies, all the matters and things set forth in the petition of the said Bernard Benoit (except what is herein before admitted) and prays that the said petitioner may be held to strict proof and that in a final hearing the bill of the said Petitioner may be dismissed with costs to this respondent.

W A Champion  
Solicitor for Respondent

which Petition of Bernard Benoit Jr and the answer of Joseph Benoit were presented to the Court on the first day of the aforesaid March Term and after argument of said cause said Court decided that the said Petitioner Joseph should not be compelled to make said Bernard Benoit a party to his petition to which decision of the Court the said Bernard Benoit by his counsel excepted and prays that this his bill of Exceptions may be signed read and allowed by the Court which is accordingly done before the adjournment of the Court.

Geo J Henry (Seal)  
Judge of Probate of Harrison  
County Mississippi

BEHOLDIST 14/6

The State of Mississippi  
Harrison County

I George O. Richards Clerk  
of the Probate Court hereby certify that the  
is a true and correct copy of the Proceedings of the  
Court as remains of Record in my office this 20th  
day of March A.D. 1845

of said Court entered the 20th day of  
March A.D. 1845

Geo. O. Richards Clerk





and ample manner as appears from the foregoing and from the fact that he was not by will or had inherited as a legal heir the rights of legal heirs if any and of creditors not to be injured thereby.

Your petitioner would further represent that by virtue of said act, and in the absence of legitimate issue or legal heirs of the said Bernard Benoit senior deceased he is the sole heir and only distributee to said Estate which is now in the hands and possession of John Bell a resident of said County of Harrison and State of Mississippi who has been appointed administrator of all such property the goods and chattels, rights and credits which were of the said Bernard Benoit senior deceased at the time of his death, and who did institute

Your petitioner would further represent unto you that more than twelve months have elapsed since the granting of Letters of Administration, that but very few debts exist against said Estate, and those of small amount. Your petitioner therefore prays you would grant a rule on said administrator to make a statement of the said Bernard Benoit Estate to you, and that he be held to answer fully, and be compelled to account as to the assets belonging to the Estate in his hands, and of his actings and doings in the affairs against the claims, debts or demands which may or may not be made against the Estate of said deceased. Your petitioner tenses to you honor a bond in such an amount as you honor may deem sufficient condition for the refunding of a due proportion of any debts or demands which may hereafter appear against said Estate.

as for the Inventory returned  
Honorable to Honorable Court to which appointment  
and Inventory this Respondent refers and prays may  
be taken as part of this his answer

This Respondent  
further says that the debts of the said Estate as presented  
to him do not amount to a large sum probably not more  
than \$1200 exclusive of the expenses of the administration  
the costs this Respondent has been obliged to incur  
in defending this Estate in various Law Suits in the  
Honorable Court, in the Circuit Court of this County, and  
in the High Court of Errors and Appeals

This Respondent admits that more than half  
elapsed since the granting of said administration and  
this Respondent further says that he holds this said  
Estate as Administrator only and that he is ready and  
willing to deliver the same into the hands of the  
Honorable Court and distribute the same among the  
legal heirs of the said deceased, whenever this Honorable  
Court shall so order and decree. This Respondent  
having his final account first audited and allowed  
and the costs and expenses of said Administration paid  
reimbursed to him; This Respondent; But this Respondent  
absolutely and positively denies that the said Complainant  
is the legal heir of the said Estate or entitled to  
the same as distribute either under the fundamental  
law of this State or under any special act that has  
been enacted for his particular relief; But in fact  
saying that the said Complainant is a slave and of

and Estate, all  
 in Estate and, in that case,  
 as yet happened, There being a petition and  
 in this Honorable Court in the name of Justin J.  
 claiming to be the legal heir of the said Benoit  
 and his heirs and assigns  
 of the said Justin Joseph, the said  
 Benoit cannot be heard in any Court - and is  
 then not in this Honorable Court - and your  
 respondent is duty bound to

John Bull

Administrator

The State of Mississippi  
 Hannan County

Personally appeared

Benoist 19

Bernard Benoist Sr

The State of Mississippi

John Brill adm'r

In the Court of Probates of Harrison County  
Of the July Term A.D. 1849.

To the Honorable Charles J. Crane Judge of Probates of said  
County the petition of Bernard Benoist Sr a resident of said County, respectfully  
represents to your honor

That he is the natural son of Bernard Benoist Sen deceased  
late of said County, and was by an act of the legislature of the State of Mississippi approved  
February 13<sup>th</sup> 1844, made a distributee of the whole estate of Bernard Benoist Sen  
deceased, and who died without legal issue or next of kin on or about the 26<sup>th</sup> day of  
December A.D. 1841. in the said County of Harrison. On the 1<sup>st</sup> Monday in January 1842  
letters of administration ad Colligendum were granted by the Honorable the Court of Probates  
of said County of Harrison to one John Brill, a resident of said County and who is  
one of the defendants to this petition, over the estate of said deceased. On the 1<sup>st</sup> Monday  
in March 1842 One Pierre Sancer a creditor to the estate applied for letters of  
administration in opposition to John Brill also an applicant, which said applications  
were taken under advisement by his honor the judge of said Court. On the 4<sup>th</sup> Monday  
in May 1842, by its decision the Court of Probates of said County granted the letters of  
administration to John Brill, to which decision Pierre Sancer appealed to the  
high Court of errors and appeals; the said John Brill surrendered the possession  
of this Estate which he had had from the 1<sup>st</sup> Monday in January, which estate  
was composed of thirteen negroes about four hundred of Cattle twelve  
horses two Cows besides household furniture &c., few days thereafter to one  
Louis A. Cadaret who had been appointed administrator by the Court during  
the pendency of the appeal, and who retained said Estate in his possession until  
the 4<sup>th</sup> Monday in August 1843, at which time said Brill was confirmed as  
the administrator of the Estate of said Bernard Benoist Sen deceased.  
From that time, said Brill as administrator has had the possession the whole of  
said estate until about the 1<sup>st</sup> of November 1846, at which time the said  
administrator by an order of the Court of Probates granted on the \_\_\_\_\_ day of  
1846 distributed to your petitioner the whole remaining estate of said  
deceased. Your petitioner Charges that said administrator during the  
said

time to wit: from the 1<sup>st</sup> Monday in January 1842, until the 4<sup>th</sup> Monday in May 1842, and from the 4<sup>th</sup> Monday in August 1843, until the 1<sup>st</sup> day of November 1846, received for the hire of negroes and other services arising out of the estate large sums of Money; the precise amount your petitioner possesses no means of ascertaining, but he is informed, and verily believe, that if the estate has been properly administered, it must exceed two thousand dollars, which amount would not only have paid the debts due by the Estate, which were but few at the time of the death of said deceased and of small amounts, not exceeding in all two hundred dollars; Covered the expenditure of maintaining the negroes in clothing &c, and paid all other expenditures of the administration of said estate, and leaving besides a considerable over plus in the hands of said administrator to account for with your petitioner; and which your petitioner was reasonably in hope that the said John Brill administrator as aforesaid would have paid him as his just due.

Yet the said John Brill administrator as aforesaid combining and confederating with divers other persons, unknown to your petitioner, and whom when known are prayed to be made parties to this petition, to defraud your petitioner, but more particularly with  
 x one Dewapent Pardon of said County of Harrison, who is now prayed to be made a party to this petition, have drawn up an account against said estate exceeding the income of said Estate as reported by said administrator, and showing a balance to a large amount to wit \$        dollar as due by said estate to said administrator. (a Certified Copy of which account is hereto annexed as exhibit A, and to which for more certainty your honor is referred, and which is prayed to be made a part of this petition) Your petitioner further charges that all the items of said account none appear to have been debts due by the deceased before his death and paid by the administrator excepting an Account. (a Certified Copy of which is hereto annexed as exhibit B, and to which your honor for more certainty is now referred, and which is prayed to be made a part of this petition) amounting to \$ 570.00 for work and labor and services rendered to the deceased by one Dewapent Pardon. Your petitioner is informed <sup>and verily believe,</sup> that said account is false and fraudulent.



was never due by said Bernard Benoit sen<sup>r</sup> deceased, that the said Dewapont Pardon was never employed or hired at any wages by said deceased, that said Dewapont Pardon during the life of said deceased was in the habit of frequently to visit the premises of said deceased for the purpose of Cohabitation with one of deceased's negro women but that <sup>he</sup> never was hired or performed for the deceased ~~for the charges in said account~~ and that during the greater part of the time charged in said account, said Pardon was employed and engaged on board of Schooners belonging to other persons, And your petitioner is informed and verily believes that said administrator, at the time said account was assigned to him by said Pardon, knew or believes the same to be fraudulent and not due by the estate of said deceased. The remainder of the account rendered by said administrator, are debts contracted by S<sup>d</sup> administrator, and the most of them not chargeable to the estate. Your petitioner further charges that said administrator has not properly administered said Estate, that number of the negroes to wit: nine of them remained without being hired and as a charge upon the estate the whole time of his administration, and were not even employed in gathering, or marking the cattle of <sup>the</sup> estate, but others were employed by the administrator, as charged in the account rendered by him, for that purpose, at the expense of the estate. Your petitioner further charges that, said administrator had in his possession as servant to his own house, a negro woman belonging to the Estate, from the 1<sup>st</sup> Monday in January 1842 until the 1<sup>st</sup> of November 1846. for which he has not accounted, or if he has accounted it is in a very insufficient manner. Your petitioner further charges that said administrator, during his whole administration has endeavored to defeat the claims of your petitioner by every means in his power, that he has runned said estate by his management into large amount of unnecessary costs, and is yet daily causing costs to accrue without need, to the great and manifest injury of your petitioner.

Your petitioner further charges that, the account hereto annexed as exhibit A was presented for allowances to the Court of Probates

Yours truly  
 Vincent Carver for ward

Estate of Demard Benoit deceased the Account  
with John Brill Administrator  
November Term AD 1846

The Administrator prays allowance for the  
following disbursements made on behalf of the Estate  
to wit

For Amount paid W. Clifton for Attorneys fees in the High Court of Errors & Officials as per Voucher	No 1	3	\$100.00
For Amount paid Estate of Peter Dotey for Attorneys fees Voucher	No 2	3	100.00
For Amount paid C. P. Jurniquet Attorneys fees as per Voucher	No 3	3	186.28
For Amount paid J. R. Adams for advertising in the Eastern Clarion as per Voucher	No 4	3	7.00
For Amount paid Calvin Bradley for driving gathering & marking the Cattle of the Estate Voucher	No 5	3	82.20
For the Taxes of the Estate for the year 1841 & 1842 Voucher	No 6	3	41.70
For the Taxes of the Estate for the year 1843 Voucher	No 7	3	24.20
For Amount paid Wm. M. Hulman for driving twenty head of Cattle belonging to the Estate to Miss. City by order of S. A. Cullant Admr. Venderste etc as per Voucher	No 8	3	14.00
For Amount paid Valbot Henley as an Appraiser on the Estate as per Voucher	No 9	3	8.00
For Amount paid W. Henney as same Voucher	No 10	3	8.00
Amount Carried forward		3	\$561.38

Amount Brought Forward		\$511.3	
For Amount of Administrators exp for clothing & food furnished the negroes of the Estate as per Voucher No 11,		76.2	sum.
For Amount paid Duendant Pardon as per Voucher	No 12	570.	as for Receiver
For the taxes of the Estate for the year 1845 Voucher No 13		22.60	of his
For the Amount paid L. A. Caillat Admin Pendente Lite, by allowance of the Probate Court Voucher	No 14	123.	of his
Amount paid Wm Parshall as an Appraiser on the Estate Voucher	No 15	3.0	of his
Amount paid John Sadner Sr for taking care of the Cattle &c belonging to the Estate Voucher No 16		20.	the Mc
Amount paid Duendant Pardon for taking care of the Cattle &c belonging to the Estate Voucher	No 17	50.00	the s
Amount paid Appraisers employed by L. A. Caillat Adminr. Voucher	No 18	18.00	As per
Amount paid for taxes for the year 1843 Voucher No 19		27.75	of the
		<u>\$1,495.23</u>	to 3.
		705.56	me
		<u>\$ 789.67</u>	Rece
Or By Amt Collected from Richard & Co		154.32	By
		<u>\$ 635.35</u>	Ke
Dr for this sum paid to J. J. Mignot Atty of Estate			of
\$328 $\frac{46}{100}$ & \$135 $\frac{96}{100}$		463.72	of
		<u>\$1,099.07</u>	less
Amt paid Evans Atty for recording Judgment Caillat Adminr vs Duendant Voucher No 20		1.00	J.
Amt paid W. Hester for Cost in the High Court of Errors Appeals Voucher No 23		14.87 1/2	

The Administrator (charges) on a/c of the Estate  
sums of money Received on a/c of the Estate  
BENOIST 24

as follows viz

Received from the Sadner Admr the Amount of his note given L A Caillavet Admr for a purchase of Cattle from the Estate	\$ 36.00
Received from L A Caillavet the balance of his a/c as rendered to the Probate Court	4.00
Received from Ludlow & Richard for the hire of the Negroes Johnson, Julian & Washington up to the 28 <sup>th</sup> Feb 1845 as per this a/c herewith marked as Exhibit - A	377.68 1/2
Received from Ludlow & Richard for the hire of the same from Feb 28 1845 up to Oct 1845 - As per a/c herewith marked Exhibit - B	194.13
Received from Richard & Co for the hire of the same negroes from 31 <sup>st</sup> October 1845 to 31 <sup>st</sup> May 1846 as per a/c herewith marked Exhibit - C	82.20
Received from Charles Bellman for hire of Boy Johnson Sept 23 <sup>rd</sup> 1845	9.53
	<u>705.56</u>

Received from Richard & Co for the hire of Julian Washington & Johnson 9 Mts & 6 days at \$30	276.90
Less Loss of time Clothing & Care charges	<u>122.52</u>
	154.38
	<u>\$859.88</u>

Filed 23<sup>rd</sup> Feb 1847  
W. C. Evans clk  
By W. H. Howard Jr

Property delivered 24 Oct 1846

Estate of Bernard Benoit deceased in account  
with John Brill Administrator

The Administrator pays allowance for the following  
disbursements made in behalf of said Estate to wit

Am't paid O K Clifton for Attorneys fees in the High Court of Errors & Appeals as per Voucher No 1	\$100. 00
Am't paid Peter Daters Estate as Atty fees in Probate Court Voucher No 2	\$100. 00
Am't paid Et Jouniquet Atty fees on apc as per Voucher No 3	186. 28
Am't paid S R Adams for advertising in the Eastern Clarion as per Voucher No 4	7. 00
Am't paid Calvin Bradley for driving & gathering & marking the Cattle of the Estate as per Voucher No 5	82. 20
Am't of Taxes of Estate for the years 1841 & 1842 as per Voucher No 6	41. 70
Am't of Taxes of Estate year 1844 Voucher no 7	24. 20
Am't paid Wm M Sweetman for driving 20 head of Cattle belonging to the Estate to Mississippi City by order of L A Cuillart Admr Pendante Lite as per Voucher No 8	14. 00
Am't paid Talbot Henley as an Appraiser on the Estate as per Voucher No 9	8. 00
Am't paid S R Henry for same as per Voucher 10	3. 00
Amount of Administrators exp for clothing & food furnished to the negroes of the Estate as per Voucher No 11	76. 20
Amount paid Duinant Pierdom as per Voucher No 12	570. 00
Am't of taxes of Estate year 1845 Voucher 13	22. 64
	<u>1,230. 22</u>

Amount of Admin Credits Brought Forward \$1,230.00

Amount paid L A Caillavet Admin Indenture Site as per order of Court Voucher No 14	3	123.06
Amount paid Wm Puchell as an appraiser on the Estate Voucher No 15	3	3.00
Amount paid to Mrs Sadmire for taking care of the Cattle belonging to the Estate as per Voucher No 16	3	223.20
Amount paid Duaneant Pindon for taking care of the Cattle belonging to the Estate as per Voucher No 17	3	50.00
Amount paid to Appraisers employed by L A Caillavet Admin Voucher No 18	3	18.00
Amount paid for taxes of year 1843 Voucher No 19	3	27.75
Amount paid E P Fourniquet City of the Estate as per Voucher No 20	3	135.26
Amount paid E P Fourniquet City of the Estate as per Voucher No 21	3	328.46

\$1,958.95

Balance due Administrator up to this date  
May 1847

\$1,099.07

Amount paid Evans Clerk for Recording  
Judgment Louis A Caillavet  
Vas Adiana No 22

\$ 1.00

Voucher No 23 R Hester late Sheriff

14 87 1/2

The Administrator Charges himself with the following sums of money received on acc of the Estate as follows

Received from the Lardner the amt of his note given to L A Caillart Admin for a purchase of Cattle from the Estate	36. 00
Received from L A Caillart the Balance of his acc as rendered to the Probate Court	6. 00
Received from Ludlow & Richards for hire of Negroes Johnson, Julian & Washington as per Exhibit marked A	377. 68
Received from Richard & Ludlow for hire of same negroes as per Exhibit B	194. 13
Received from Richards & Co for hire of same negroes as per Exhibit C	82. 00
Received from Chs Bellman for hire of Boy Johnson Sept 23 1845	9 53
Received from Richards & Co for hire of same negroes as per Exhibit D	154 32

Am't Due Admin to Balance acc

1099. 07

Filed May 10<sup>th</sup> 1847  
(Signed) J. B. Humphries  
J. B. Standard  
Auditor

The 11

In testimony, that the foregoing three pages contain  
 a true & Copy of the Account of John Brill admr-  
 of the Estate of Bernard Benoit dec'd filed on the  
 10<sup>th</sup> day of May 1847, before J. A. Humphries and  
 W. A. Standard, Auditors, I herunto set my  
 hand and affix the Seal of the  
 Probate Court of Harrison County  
 at my office in Mississippi City this  
 24<sup>th</sup> day of May 1848

W. A. Evans Clerk  
 Probate Court Harrison County



# The Estate of Bernard Benoist Esq Deceased Pierdon,

1842  
July 18<sup>th</sup> 3 1/2 Months services rendered said  
Benoist in the year 1839 at  
the rate of \$30 per month is \$180.00

8 Months work rendered to said  
Benoist in the year 1840 at the  
rate of \$30 per month 3 240.00

5 Months services rendered the  
said Benoist in the year 1841  
at the rate of \$30 per mo 150.00  
(Pay Five hundred and seventy dollars) \$570.00

The State of Mississippi  
Harrison County 3 Personally appeared before  
me Wm A Champlin a Justice of the Peace in  
and for the County and State aforesaid, Dewasant  
Pierdon, who being first duly sworn deposeth and  
saith that the account as stated above is  
just and true, and that the said Benoist  
contracted the same during his life time,  
And that he has not received any part of the  
money stated to be due, or any security or  
satisfaction for the same  
Sworn to and subscribed (Signed) Dewasant <sup>his</sup> Pierdon  
before me this 18<sup>th</sup> day of  
February 1842  
(Signed) W A Champlin J P Seal

For value received I hereby assign the within  
Account amounting to Five hundred and  
Twenty dollars to John Brill and direct  
payment thereof to be made to him this 18<sup>th</sup>  
day of February 1842.  
Attest

W. A. Champlin  
Margaret Champlin  
(Signed) Duessant <sup>his</sup> Pardon

Filed in my office this 18<sup>th</sup> day of February  
1842 W. A. Champlin CLK

Examined allowed and approved on the  
first day of the March term of the year 1842  
George Kelly J. P.

Voucher 12  
filed 13<sup>th</sup> August 1847  
W. L. Evans CLK

In testimony that the foregoing page and a half contain  
a true Copy of Voucher No 12, against the Estate  
of Bernard Benoit dec. I W. L. Evans Clerk of the  
Probate Court do hereunto set my hand and affix  
the seal of my office this 2<sup>nd</sup> day  
of May 1848  
W. L. Evans CLK

(10)  
Estate of  
Bernard Benoit

Bernard Benoit Juror  
at

Gustin Joseph

Answer

Filed in my office  
this 13<sup>th</sup> day of  
November 1844

Wm C. Groom Clerk  
by Chas. Schenck deputy

The State of Mississippi

Harrison County

Benoist 32

In the Court of Probates

November Term AD 1844

The Answer of Justin Joseph to the Bill or Petition of  
Bernard Benoit Complainant, or to so much thereof  
as he is advised is material for him to answer  
into, Answering, saith,

That it is true that at  
the November Term of Your honorable Court 1843  
Your petitioner by his solicitor did file his petition  
praying distribution to him, as the legal heir  
and next of Kin to Bernard Benoit-deceased  
late of said County, and your petitioner still asserts  
and believes that he is the next of Kin and  
legal heir to said deceased, and entitled to  
distribution as prayed for in his original  
petition to Your honorable Court,

This respondent further answering saith that  
the said Petitioner Bernard Benoit ought not  
to be made a party to his suit against the  
Administrator of said Estate, because  
He says that at the time of filing said  
Petition and at this time the said Bernard  
Benoit is a Slave, the property of said  
Estate, and as such has been inventoried  
and returned by the administrator of  
said Estate, because, If the said petitioner  
or, has any rights, they are only contingent

and depend upon a contingency which has not yet happened, To wit upon, the contingency of said Estates reaching to the state of Mississippi which it has not yet done, will not do whilst there is a contest in the Your Honorable Court between your respondent and the administrator, by our respondent claiming to be the legal heir and next of kin of the said deceased.

Your respondent further answering saith that the Legislature of the state of Mississippi have no ~~power~~ <sup>power</sup> to take away the rights of your respondent, and to substitute another person as heir to said Estate, or to take any control of said Estate, until your Honorable Court shall finally decide upon the rights of your respondent. Your Respondent further answering saith that he denies that the said Petitioner is the natural son of the said deceased or that the said deceased died without legal heirs at law denies that he has had any rights vested in him by the act of the Legislature referred to in his petition and generally denies, all the matters and things set forth in the

petition of the said Bernard Benoit (except  
what is herein before admitted) and  
prays that the said petition may  
be held to strict proof, and that  
on a final hearing the Bill of the  
said Petitioner may be dismissed with  
costs to this respondent, ~~and such other~~  
~~and further relief as to your Honor may~~  
~~seem meet and agreeable to equity~~  
~~and good conscience, and your~~  
~~respondent will &c~~

W. Chapman  
Solicitor for Respondent

Bernard Benoit  
estate  
No 1  
petition of  
Roderick Seal Adm'r  
filed 28<sup>th</sup> May 1844  
Wm. Haman Clerk  
May Term 1844  
Prize  
Sustained as far as a New  
Bond & Security for \$8000  
ordered —

May 1844  
BENOIST 35

State of Mississippi  
 Harrison County In the probate Court of said County  
 May Term 1846

To the Honorable George Kelly Judge of the  
 Court of Probate of said County,

The petitioner Bernard Beaud  
 singular the goods and chattels Rights and Credits  
 which were of Abigail Jane Deceased who died intestate and a  
 resident of the County of Hancock State of Mississippi Respectfully  
 Sheweth unto your Honor That he administrator of said Abigail  
 Jane is married and said estate, in this that he claims that the Estate  
 of Bernard Beaud as represented in your honorable Court ~~as~~  
 the estate of said Abigail Jane that a suit is now pending in  
 the Court of said County of Harrison on said claim and  
 that John Brill of said County of Harrison and State of said  
 has been appointed by your honorable Court administrator of all and  
 singular the goods and chattels, rights and Credits which were of  
 Bernard Beaud deceased at the time of his death and who died intestate  
 and has in his hands and possession the whole of said estate,  
 and being interested as aforesaid he begs leave to represent to your  
 Honor that said estate <sup>said Bernard</sup> as does appear by the inventory returned  
 by the administrator ~~and collation~~ and now in Court is  
 composed of thirteen Negroes, about three hundred head of cattle  
twelve horses, two Cows, some other stock, farming utensils and other  
effects which your petitioner considers and believes to be worth about  
~~eight thousand~~ <sup>eight thousand</sup> dollars, being a value greatly superior to the amount  
 represented by said administrator your petitioner would further  
 represent unto your Honor that he does not deem this estate sufficiently  
 secured by the bond now in Court given by said administrator in the  
 amount of two thousand five hundred dollars, which amount is so  
 much below the real value of said estate. That he does not believe the  
 sureties to said bond to be good and sufficient even if the bond  
 was sufficient in its amount to cover the value of the property  
 belonging to said estate.

Your petitioner therefore humbly prays



prayer that your honor will order the premises, and order that  
~~the same be required to give the good and sufficient~~  
security in and short time to be appointed by your honor, and in  
default thereof that his letters of administration be revoked and that  
said administrator be restrained from further proceedings in in said  
estate until he has given such other good and sufficient security, and  
if at the time appointed such security are not given that the sheriff  
of said County of Harrison be ordered to take such estate into his  
possession and deliver the same to the administrator de bono non  
which may be appointed by this Honorable Court.

And your petitioner is in duty bound to

*J. Muldowney*  
Attorney

Subscribed

and sworn to

At the State of Mississippi  
County of Harrison. Before me the Undersigned Justice of  
the Peace in and for said County, James H. Roberts, Clerk of the  
Court, who says that the matters set forth in the foregoing  
Petition are true to the best of his knowledge and belief.

Done at and Subscribed before  
This 28th day of May 1844  
J. H. Roberts

*[Signature]*

May Texas 1874  
the prayers of the petition granted  
so far as security is concerned  
George Holley P.C.S.C.

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16  
Estate of Bernard  
Benoist —

BENOIST 39

Bernard Benoist Esq.

2,  
John Pratt Adm'r }

Complete

## Estate of Barnard Bennett

Barnard Bennett In 3

John B. B. B.

- No. 1 August Term 1844 Petition of Barnard Bennett In  
 for distribution —  
 " 2 March Special Term 1845 Answer of John B. B. to  
 Petition of Barnard Bennett In  
 " 3 " Supplemental Answer of John B. B. to  
 " 4 " Bill of Exception Barnard Bennett In  
 to the opinion of Court overruling the  
 Petition  
~~" 5 " Bill of Exception Barnard Bennett In~~  
 " 6 March Special Term 1845 Petition for writ of Error  
 Barnard Bennett  
 " 8 August Special Term <sup>1846</sup> Bill of Exception, Barnard  
 Bennett In

Bernard Benoit  
estate

Reuben Adams Jany

filed 28th May 1844

Wm. H. Benoit Clerk

(7)

Bill of Exceptions to  
opinion of the Court refer-  
ring to set aside the  
findings of fact.

May Term 1844

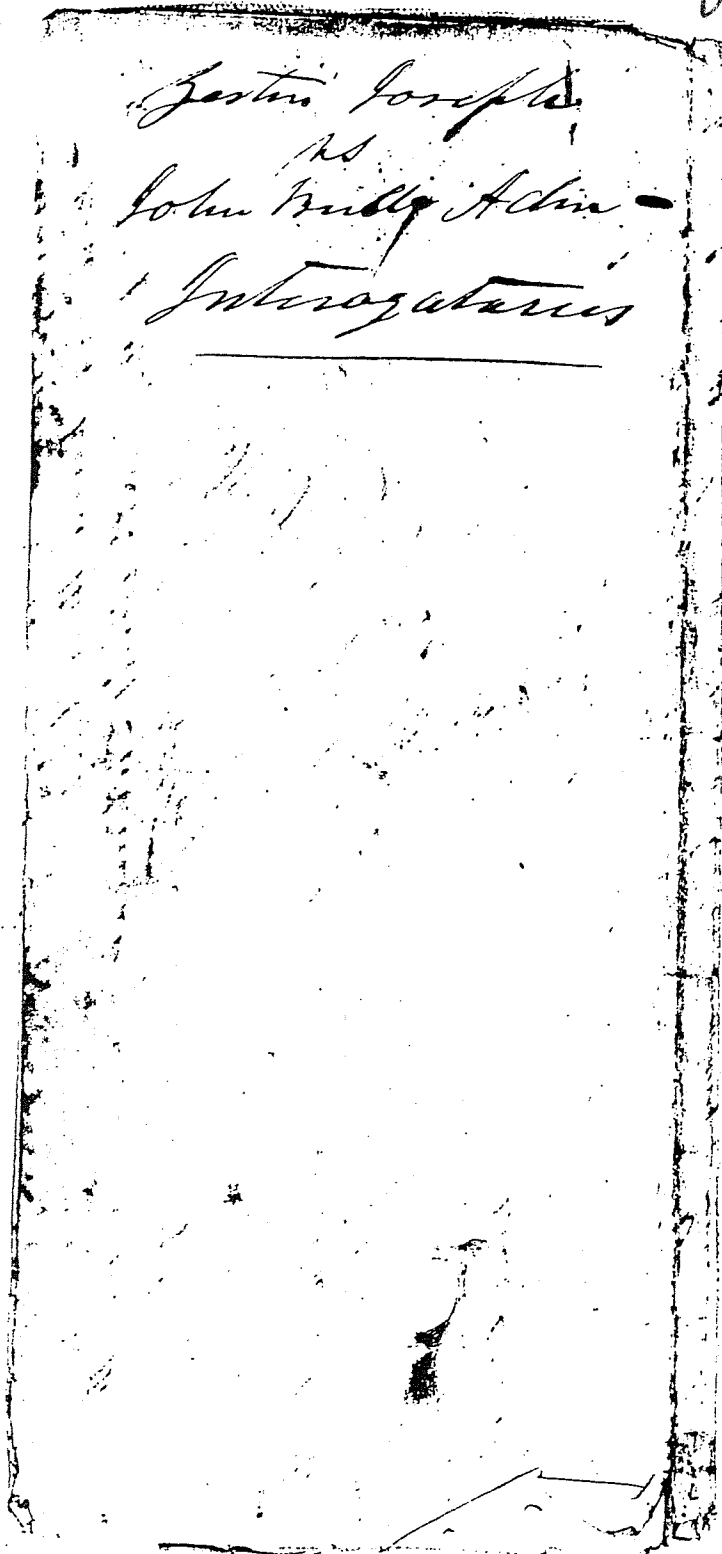
The State of Mississippi } In the Court of Probate of said County  
 Warren County } Of the May Term A.D. 1844.

In the Estate of Bernard Benoit Senr Deceased intestate

Be it remembered that

at the term of said court aforesaid Rodrick Seal administrator of  
 all and singular the goods and Chattels, rights and Credits, which were  
 of Melite Savre late of said County of Warren deceased who died intestate  
 Claiming the Estate of Bernard Benoit aforesaid a Freeman of Color deceased  
 as belonging to his estate of his intestate Melite Savre filed in said  
 Court the following motion to wit: Motion by Rodrick Seal  
 administrator of Melite Savre to set aside the allowance  
 of and reject on account of five hundred and seventy dollars  
 allowed for John Brill the administrator of said Estate of Bernard  
 Benoit at the March Term 1842 of this Court and to prevent  
 said administrator from applying any of the assets of said  
 estate to the discharge of said Account; which shows on its  
 face to have been assigned to said administrator by one  
 Devassant Pierdon after said Brill was appointed administrator  
 and colligendum  
 Because 1<sup>st</sup> said administrator is not a bona fide Creditor  
 of said estate. 2<sup>d</sup> an open Account being a chose in action  
 a right to sue, and mere possibility is not assignable  
 it is in evidence before the Court that said administrator has  
 not filed any claim accrued to him other than the account  
 following (here insert the account of Devassant Pierdon with  
 affidavit and assignment) which was allowed to said administrator  
 at the March Term of said Court in the year 1842 (by the  
 following order (here insert the order of the Court allowing said  
 account) which said motion the Court overruled for the following  
 reasons that when an Account is presented to the Court for  
 allowance duly proved or authenticated according to the  
 Statute he has no discretion but must allow the same  
 to which opinion of the Court this Bill of exception ~~was~~ taken  
 and pray the same be allowed signed and sealed by your Honor  
 which is accordingly done given under his hand and seal  
 and in open Court George H. Alley J.P.C. & C. (Seal)





State of Missouri } Justin Joseph  
Harrison County } John Willard Admonitor

→ June 1843 - Probate Court of the said  
County - Interrogatories to be propounded  
to Francis Durand John B. Durand Joseph Durand  
And Mrs. Annelle Michals -  
Who are residents of the State of Missouri  
and material witnesses for the Petitioner in  
the said cause. First Interrogatory

Do you know the parties to the said cause if  
any how long have you known them  
or either of them and where -

Interrogatory 2<sup>d</sup> did you know Bernard  
Benoist in this lifetime if any how  
long have you known him and where

Interrogatory 3<sup>d</sup> did the said Bernard  
leave any legitimate children -

Interrogatory 4<sup>th</sup> Had the said Bernard  
any Brothers or Sisters if any are  
they living or dead and did they die  
before Bernard and what time

Interrogatory 5<sup>th</sup> Is Justin Joseph  
the only next of kin of the said  
Bernard Benoist dec'd - If

eye State your knowledge of  
interrogatory 6<sup>th</sup> did you know the  
Mother of Justice Joseph of age  
is she dead will was she a free woman  
interrogatory 7<sup>th</sup> did you know  
Justice Joseph always to be a free  
man. If eye State how you know it  
and whether you are interested in  
this suit in any manner and  
interrogatory 8<sup>th</sup> State all you know  
that will benefit the Petitioner as  
fully as though you were  
particularly interrogated thereunto.

W. C. Stanley atty.  
for Petitioner  
~~Wm. C. Stanley~~  
att'y for Claimant

Ans Interrogatories to be provided by the Defen-  
ant John Bird Administrator of the Estate of Ramona  
Bennett. To Laura Russett, John St. Laurent, Joseph  
Lavette & Mrs. Annelle Nicholas - which when answer-  
ed will be read in evidence on the trial of this case -  
Tried - If to the first direct Interrogatory you answer, then  
you know the Plaintiff is John Bird, now being heard

you know him. When did you first become acquainted with him, how old was he at that time, How old is he now -

2<sup>d</sup> If to the second Direct Interrogatory, You answer, that you knew Barnard Benoit, state when you first became acquainted with him, where was he residing, how old was he when you first saw him. When did you last see him. Who was his Father, Was he a white man or a Negro, If his Father was a white man, was he an American, or a Foreigner - If a foreigner, from what Country did he come.

3<sup>d</sup> If to the third Direct Interrogatory, You answer, that Barnard Benoit did not leave any legitimate children, then state how you know that fact.

4<sup>th</sup> If to the fourth Direct Interrogatory, You answer, that Barnard Benoit had Brothers & Sisters, state distinctly how you know that fact.

5<sup>th</sup> If to the fifth Direct Interrogatory, You answer. That you know Tertius Joseph to be the only next of kin to the said Barnard Benoit, state distinctly how you came possessed of the said information.

6<sup>th</sup> If to the sixth Direct Interrogatory, You answer, that you know the Mother of Tertius Joseph, and that she was a free woman - state why you believe her to have been free, state also, who was her Father. Was he a white man or a Negro. What was his name.

7<sup>th</sup> If to the seventh Direct Interrogatory, You answer, that you knew Tertius Joseph, always to have been a free man - state fully your grounds of knowledge - state also who was his Father & whether he was a white man or a Negro.

8<sup>th</sup> If you know anything further that will be of service to the Defendant, state the same as fully as if particularly interrogated there to -

E. J. Fourquet  
Attorney for Defendant

Estate of Bernard Benoit Senr

Bernard Benoit Junior

vs

John Brill adm<sup>r</sup> &c

Petition for distribution

filed 17<sup>th</sup> day July 1844  
Am<sup>l</sup> G. H. H. C.

August Term 1844.

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The State of Mississippi }  
 Harrison County } In the Court of Probates of said County  
 of ~~the~~ <sup>August</sup> Term A.D. 1844

To the Honorable George Holly Judge of  
 the Court of Probates of said County:

The petition of Bernard Benoit  
 Junior a resident of said County of Harrison and State of Mississippi  
 Respectfully sheweth, unto your honor: That some time in December 1841  
 Bernard Benoit a free man of color died, intestate in the said County of  
 Harrison without any legitimate <sup>issue</sup> or any legal heirs or next of kin, possessed  
 of an Estate Consisting of Negroes, Cattle, Horses, Farming utensils,  
 and other effects, of considerable value. The Legislature of the State of  
 Mississippi at its session held at Jackson 1844 at the petition of your petitioner  
 who is the natural son of the said Bernard Benoit Senior deceased  
 passed an act entitled "An act for the relief of Bernard Benoit Junior"  
 approved February 13<sup>th</sup> 1844. By which act the State of Mississippi  
 relinquishes & transfers, and assigns unto your petitioner all the right, title  
 claim, and interests of any kind which said State had by escheat  
 in the estate of said Bernard Benoit Senior deceased, late of said  
 County of Harrison and State aforesaid. And in said act it is further  
 provided that the right & title in and to said estate shall enure to  
 and vest in your petitioner in as full and ample manner, as if the same  
 had been bequeathed to him by will or had inherited as a legal heir,  
 the rights of legal heirs if any and of Creditors not to be injured thereby.

Your petitioner would further represent that by virtue of said  
 act, and in the absence of legitimate issue or legal lineal heirs of the said



Benoist-49

Bernard Benoit Senior deceased, he is the sole heir and only distributee to said estate, which is now in the hands and possession of Solomon Brill a resident of said County of Harrison and State of Mississippi, and who has been appointed administrator of all and singular the goods and Chattels, rights and credits, which were of the said Bernard Benoit Senior deceased, at the time of his death, and who died intestate.

Your petitioner would further represent unto your honor, that, more than twelve months have elapsed since the granting of letters of administration, that, but very few debts exist against said estate, and those of small amount. Your petitioner therefore prays your honor, to grant a rule on said administrator to make distribution of the said Bernard Benoit's estate to your petitioner, and that he be held to answer fully and be compelled to account as to the assets belonging to the estate in his hands, and of his actings and doings in the premises. and so as to ~~leave~~ said administrator may be secure in the premises against all claims, debts, or demands which may afterwards be made against the estate of said deceased, your petitioner tenders to your honor a bond, in such an amount as your honor may deem sufficient, condition for the refunding of a due proportion of any debts or demands which may hereafter appear against said estate, and the costs attendant on the recovery of such debt or demands.

And your petitioner as in duty bound  
Will ever Pray be

his  
Bernard ~~Benoit~~ Benoit Jr  
mark  
Whitor

J. C. Chomet

The State of Mississippi  
Harrison County

Before me the undersigned Justice of the  
peace came Bernard Benoit Junior who on his Oath says that the  
matters contained in the foregoing petition are true to the best of his  
knowledge and belief

Sworn to and subscribed before me

this 28<sup>th</sup> day of May, 1844

at the City of Natchez

Bernard <sup>his</sup> Benoit  
mark

Selection of Pierre  
Saucier -

Etats of Pierre and  
Benoit - March Term  
1842 -

Benoit

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Bernard Benoit, Sr.  
d. 26<sup>th</sup> Dec. 1841

To the Honorable the Court of Probate of the County of  
Harrison the Petition of Eugene Troulier Respectfully Sheweth

That some time in December last Bernard Benoit late of said  
County died intestate possessed of an Estate both real and personal within the limits  
of this County having no direct legal heir but your petitioner who is his nephew  
being the son of the sister of the said Bernard Benoit deceased is said sister being  
from the same mother with the said Bernard Benoit Your petitioner would further  
state that although he is by law intitled to the administration of said estate yet  
being a citizen of the State of Louisiana and unacquainted with the <sup>rights</sup> ~~business~~ of  
the Court in settling an estate he declines his rights to said administration in favor  
of Pierre Sancier of Pope Christian who holds next to him the rights to said administra-  
tion being a creditor of said estate your petitioner therefore prays your honorable  
Court to grant letters of administration to the said Pierre Sancier in the premises  
and order the administrator ad Colligendum heretofore appointed to deliver in his  
possession said estate together with inventory by him taken of the same

And your Petitioner Oe

Eugene Troulier  
Mark

To the honorable Court of Probate the Petition of Pierre Sancier  
Respectfully Sheweth

That he is Creditor of the estate of Bernard Benoit  
and on the refusal to act as administrator of the legal heir of said Bernard Benoit  
heard he is by law entitled to the administration of said estate and at the  
requisition of the said heir Eugene Troulier your Petitioner ~~therefore~~ prays  
that said letters of administration be granted him in premises according to law

And your Petitioner Oe p<sup>r</sup> Sancier

Bill of Exceptions

Eugene Troullier

Estate of Ramona Bennett  
March Term 1844

Mandate of High Court  
of Error & Appeals -

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The Court of Appeals  
has granted the writ  
of Habeas Corpus  
to the said Eugene Troullier  
and he is now at large.

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The State of Mississippi

High Court of Errors and Appeals

January Term 1843 (5th of April)

BENOIST 54

Pierre Saucier Appellant

vs

John Bull Adam of Bernard

Benoit deceased Appellant

Cross Appeal from the  
Probate Court of Harrison  
County

This cause having been submitted and duly  
considered by the, it is ordered adjudged and decreed that  
the decree of the Probate Court of Harrison County to which  
this Appeal was taken be and the same is hereby affirmed.

It is further ordered and adjudged and decreed  
that said appellee do have and recover from said Appellant  
principal, Jacques Saucier, and Ramon Luzmo securities  
in the Appeal Bond his costs about his defence in this behalf  
expended to be taxed by the clerk of this court.

J. Francis G. Hopkins, Clerk of said High Court  
of Errors and Appeals do hereby certify the above to be a  
true copy of the final judgment of said Court, as the same  
is be of record in this office,

Given under my hand and  
the seal of said court this 14th day  
of April Anno Domini 1843

Francis G. Hopkins.  
Clerk



In the Court of Probates of Harrison County  
Estate of Bernard Benoit Dec<sup>d</sup> intestate

Be it remembered that at  
the March Term <sup>1842</sup> of said Court held at the Mississippi City in  
said County. Eugene Troulier claiming as a lineal heir of said  
Bernard deceased filed a Petition in said Court. ~~to wit~~ here insert the  
Petition/ Which said petition after due examination of witnesses was  
taken under an advisement by the Court until the following term of  
said Court and at the said term to wit: in the month of May 1842  
the Court after having heard the arguments of Counsel delivered the  
following opinion to wit: the Court rejects the prayer of the petition of  
Eugene Troulier a free man of Color and decides that although it  
was proved that he was the son of the sister of Bernard Benoit deceased  
also a man of Color that the said Eugene Troulier could not inherit  
of his mother being born an illegitimate child.

To which said opinion this Bill of exception is taken  
and pray that the same may be allowed signed and sealed by your honor.

*Robert*  
*for Eugene*

George Holley J<sup>r</sup> C<sup>l</sup> Sec<sup>y</sup>

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This not in the original

No 1

BENOIST 56

L. A. Caillavet  
Bond & Oath

---

Estate of  
Bernard Benoit

---

Fors. 1225  
R

Know all men by these presents that we Louis A. Caillavet of Bilboi in Harrison County, and George Mueller and Jacob Elmer — are held and firmly bound unto the Honorable George Holley Judge of the Probate Court of Harrison County, and to his Successors in office in the full and just sum of Eight Thousand Dollars, for the payment of ~~which to be well and truly made~~ we each of us hereby bind ourselves, and each of us our heirs, Executors and administrators jointly and severally by these presents. Sealed with our seals and dated this twenty Eighth day of May in the Year of our Lord one Thousand Eight hundred and forty two,

The Condition of the above obligation is such, that whereas, Pierre Saucier and John Brill were both applicants by Petition, for Letters of administration in Chief on the Estate of the late Bernard Benoit deceased, at the May Term of the Probate Court of said County of Harrison ~~County~~, and whereas the Judge of said Court rejected the Petition of the said Pierre Saucier and appointed the said John Brill administrator of said Estate, and whereas the said Pierre Saucier has taken an appeal from the decision of said Court to the High Court of errors and appeals, and whereas the said Court has appointed the above bounden Louis A. Caillavet administrator of said Estate until the final decision of said appeal, Now if the said Louis A. Caillavet administrator of the goods and Chattels and Credits of Bernard Benoit deceased, do make a true and perfect Inventory of all and singular the goods Chattels and Credits of the said deceased, which have or shall come to the hands, possession, or knowledge of Louis A. Caillavet the said administrator, or in the hands or possession of any other person, or persons, for

the said administrator, and the same so made  
do exhibit into the Probate Court of the said  
County of Harrison, when he shall be thereunto  
required by the said Court, and such goods, chattels  
and credits, do sell and truly administer, according  
to Law, and further do make a just and true  
account, of his acting and doings therein, when  
thereunto required by said Court, and all the rest  
of the said goods, chattels, and credits, which shall  
be found remaining, upon the account of the  
said administrator, the same being first exam-  
ined and allowed, by the said Court, shall  
deliver and pay unto such persons, respectively, as  
are entitled to the same by Law, and if it  
shall hereafter appear that any last will and  
testament, was made by the deceased, and the same  
be proved in Court, and the executor or executrix ob-  
tain Letters testamentary, and the said Louis A  
Baillavet, do, in such case being required, render  
and deliver up, his Letters of administration, then  
this obligation to be void, else to remain in full  
force.

In witness whereof we have hereunto  
set our hands and Seals, this  
twenty eighth day of May in the  
Year of our Lord one thousand  
Eight hundred and forty two.

Attest W A Chapman Clerk

L. A. Baillavet  
J. J. Taylor  
Jacob Elmer

State of Mississippi  
Harrison County

You shall shew that Roman  
Benoist, deceased died without any will, as far  
as you know or believe, and that you will well  
and truly administer, all and singular the  
goods, Chattels and Credits of the said deceased  
and pay his debts, as far as his goods, Chattels  
and Credits, will extend, and the law require  
you, and that you will make a true and perfect  
Inventory, of all the said good Chattels and  
Credits, as also a just account when thereto  
required - So help you Gods

L. A. Caillavet

Sworn to and subscribed before  
me this twenty eighth day of  
May 1842  
Malheur Pinckney

PASCAGOULA LIBRARY  
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August 1842  
BENOIST 60

Inventary of the Estate  
of  
Bernard Benoit  
Louis H. Lallier Adm.  
August 2nd 1842

2.

Running 75 ct

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Inventory of the property belonging to the  
Estate of Bernard Benoist deceased late of  
Harrison County

## Slaves

George	aged 30 years	
Hannah	" 40	"
Olivia	" 21	" Wife of Hannah
Frederick	" 19	" Do. hired to Charles
Washington	" 13	" Do.
Johnston	" 12	" Do.
Maria	" 10	" Do. with Bride
Josephine	" 8	" Do.
Bernard	" 6	" Do.
America	" 5	" Do.
Louis	" 3	" Do.
Victor	" 2	" Do.
Nathaniel	" 1	" Do. Child of Eliza

## Cattle

300 Head of horned, supposed  
12 Horses  
2 Colts

## Fowls

1 Lot of Hens & Chickens  
4 Geese  
21 Turkeys

2 Plows, 1 Harrow, 3 Pickaxes, 2 Axes, 3 Shovels,  
1 Biddle, 1 Rifle Gun, 1 double barreled shot Gun,  
2 Mattresses, 3 Blankets, 3 Sheets, 1 Pillow, 1 Lot  
of cooking utensils, 1 small lot of crockery ware  
1 cart, 1 Perimeter. Deed for land purchased  
from Joseph Sullivan and wife Catherine in 1836, and  
a copy of a paper purporting to show said Bernard  
to have been free, 2 old papers in the Spanish language  
1 note against John Deane for \$184. dated 14th Aug  
1838 and due on demand, 1 paper in French supposed  
to be a due Bill for \$10. and sundry other papers.

The foregoing is a true and correct Inventory of all the property belonging to the Estate of the said ~~Benjamin Benoit~~ <sup>Bernard Benoit</sup> deceased so far as I know or believe or has come to my ~~active~~ knowledge.

In witness whereof I have set my hand and Seal the 20<sup>th</sup> day of August 1842.

L. A. Caillevat *Adm*  
Administrator

State of Mississippi  
Harrison County

Personally appeared <sup>before</sup> me George Holley Judge of the Probate Court of County aforesaid Louis it Caillevat Who being duly sworn Depose and Say that the above inventory is a true inventory of <sup>all</sup> the personal estate of Bernard Benoit so far as the same has come to his sight or knowledge in witness whereof I have set my hand and Seal this 20<sup>th</sup> day of August 1842

George Holley J.P. C.H. *Adm*

BENOIST 63

*La Cailland Adam*

*Banane Bens deu*

*Inventory and*

*3*

*Appraisement*

*R*

The State of Mississippi

Benolist 64

To Benjamin Holley, Auguste Fayard, and Allen Heenley. Greeting

This is to authorize you jointly to appraise the Goods, Chattels and personal Estate of Bernard Benoit deceased, late of Harrison County, so far as they shall come to your sight and knowledge, each of you having first taken the oath or affirmation hitherto annexed; A certificate whereof you are to return annexed to an Inventory of said Goods, Chattels and personal Estate by you appraised in dollars and cents, and in the said Inventory, you are to set down in a column or columns, opposite to each article the value thereof

Witness the Honorable George Holley Judge of the Probate Court of Harrison County and the Seal thereof annexed this 26th day of August 1842

W. A. Champlin Clerk

I Benjamin Holley Auguste Fayard and Allen Heenley do solemnly swear that I will well and truly, without partiality or prejudice value and appraise the Goods, Chattels and personal Estate of Bernard Benoit deceased so far as the same shall come to my sight and knowledge and will in all respects perform my duty, as appraiser, to the best of my skill and Judgement - so help me God

Witness to and subscribed before me this 13<sup>th</sup> day of September 1842

Benjamin Holley  
Auguste Fayard  
Allen Heenley

W. A. Champlin Clerk

BENOIST 65

Inventory and appraisement of the personal Estate of  
Bernard Benoit deceded.


George aged of 30 years subject to fits	\$	40	-	"
" " " 40 " " " "		75	-	"
Eliza " " " 21 " " " "		150	-	"
Washington " " " 13 " " " "		150	-	"
Julienne " " " 19 " " " "		200	-	"
Thomson " " " 12 " " " "		150	-	"
Marya " " " 10 " " " "		112	-	"
Josephine " " " 8 " " " "		75	-	"
Bernard " " " 6 " " " "		80	-	"
Amelie " " " 5 " " " "		60	-	"
Louis " " " 3 " " " "		55	-	"
Victor " " " 2 " " " "		50	-	"
Watole " " " 1 the child of Eliza				
Cattle				
300 heads of Cattle suppose at 3		900	-	"
12 Horses " " " at 10		120	-	"
2 Colts " " " at 3		6	-	"
A lot of Hens and chickens 3 of them			-	34 1/2
4 Geese " " " " "		1	-	"
13 turkeys " " " " "		3	-	25
2 plows " " " " "		2	-	"
1 Harrow " " " " "		0	-	"
17 pickaxe " " " " "			-	25
12 Spades " " " " "			-	50
3 Hoes " " " " "			-	75
3 Saddles " " " " "		3	-	50
4 Briddles " " " " "			-	25
to the other part		\$ 2234	-	34 1/2


from the other part

\$ 2234 87½ BONDIST 66

✓ 1 Rifle gun	5	-	"
✓ 1 double barreled gun	2	-	"
✓ 2 Mattresses	2	-	"
✓ 3 Blankets	2	-	"
✓ 3 Sheets	1	-	50
✓ 1 Pillow	"	-	50
✓ 4 Pots and frying pan	5	-	25
✓ 1 small lot of Crockery ware		-	50
✓ 1 lot of spoons and knives		-	50
1 Cart	8	-	"
1 Perogues	2	-	"
1 note against Thos Dedmon	187	-	"
Dated the 14 January 1838	10	-	"
1 ditto of Nabe Richard for	\$ 24 61	-	12 - ½
The state of Mississippi			
Harrison County			

We the undersigned  
do hereby certify that the foregoing is a true  
and correct appraisement of all the goods  
and chattles and personal state of the late  
Bernard Benoit deceased so far as the  
same has come to our sight or knowledge  
in witness whereof we have set our hands and  
seals this the 14<sup>th</sup> September 1842.

Augustine Bayard 

Mark  
Benj Holley 

Allen Hawley 

Sept. 1842  
BENOIST 67

# Inventory of the property belonging to the Estate of Bernard Benoit, deceased, late of Harrison County

## Slaves

George	aged 30 Years	
Hannah	" 40 "	
Eliza	" 21 "	the child of Hannah
Julian	" 19 "	" " " " " " " "
Washington	" 13 "	" " " " " " " "
Johnson	" 12 "	" " " " " " " "
Maria	" 10 "	" " " " " " " "
Josephine	" 8 "	" " " " " " " "
Bernard	" 6 "	" " " " " " " "
Amelia	" 5 "	" " " " " " " "
Louis	" 3 "	" " " " " " " "
Victor	" 2 "	" " " " " " " "
Mattie	" 1 "	the child of Eliza

## Cattle

300 Head of horned cattle

12 Horses

9 bolts

## Fowls

1 Lot of Hens & Chickens

4 Geese

21 Turkeys

2 Hoes, 1 Harrow, 3 Pickaxes, 2 Spades, 4 Axes,  
3 Saddles, 1 Bridle, 1 Rifle Gun, 1 double-barrelled  
Shot Gun, 2 Mattresses, 3 Blankets, 3 Sheets, 1 Pillow  
1 Lot of Cooking utensils, 1 Small lot of broom  
ware, 1 Coat, 1 Bannister, Deeds for land  
purchased from Joseph Cadner, and wife Catharine  
in 1836, and a copy of a paper purporting to show  
said Bernard to have been free, 2 old papers  
in the Spanish Language, 1 note against John  
Declaracion of 1837 dated 17th January 1838, and



due demands, & Paper in French, supposed to  
be a due Bill for ~~the~~ and sundry other  
papers.

The foregoing is a true and correct  
Inventory of all the property belonging to the  
Estate of the said Bernarda Benoit, deceased,  
so far as I know or believe, or has come to  
my knowledge. In witness whereof I have  
set my hand and Seal the 20<sup>th</sup> day of  
August 1842 L. A. Baillaert *Baillaert*  
Administrator

State of Mississippi  
Harrison County 3 Personally appeared before  
me George Holley Judge of the Probate Court of  
County aforesaid, Louis A. Baillaert, who being  
duly sworn deposed and said, that the  
above Inventory, is a true Inventory of all the  
Personal Estate of Bernarda Benoit so far as the  
~~same is known to his agent or understood in~~  
witness whereof I have set my hand and  
Seal this 20<sup>th</sup> day of August 1842  
George Holley *Holley*

The State of Mississippi  
Harrison County 3 I W. A. Chapman  
Clerk of the Probate Court of the County aforesaid  
do hereby certify that the foregoing is a true  
and correct copy of the Inventory of the Estate  
of Bernarda Benoit deceased, as now of Record  
in my office. In witness whereof I have hereunto  
set my hand and the  
Seal of said Court, this  
Seventh day of September  
1842 W. A. Chapman *Chapman*

1010  
BENOIST 69  
Estate of Damane  
Benoit

Louis A. Gaillard  
Attor. Pendente Lite

Complete

Estate Bernard Benoit An  
 Louis A Caillavet Admin

No 1 - May Term 1842 Bond of Admin-  
 istrator Benoit's Lett.

No 2 August Term 1842 Inventory of the Estate

No 3 Appraisement of the Estate made by  
 Augustin Fayard, Benj Motley & Allen  
 18th Sept 1842.

No 4 May Term 1844 Application for sale of  
 20 head of Cattle

No 5 Account of the Sale of Cattle amounting  
 to \$84  $\frac{25}{100}$

No 6 Final ac of La Caillavet Administrator  
 Benoit's Lett - approved August Term  
 1843 -

act of Relief -  
to inherit

Bernard Benoit

BENOIST 71

As  
John Price adms  
Estate of Bernard Benoit

Filed this 4th day  
March A.D. 1813

Geo R. Richardson

Justice Joseph C.

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GENEALOGY COLLECTION

The State of Mississippi } In the Court of Probates of said  
 Harrison County } County at a Special Term in March  
 1845

To the honorable S. J. Henry Judge of the  
 Court of Probates of said County.

The petition of Bernard Benoit Jr.  
 a resident of the county of Harrison and State aforesaid.

Respectfully sheweth unto your honor  
 that he is the Natural son of Bernard Benoit senior late of said  
 County of Harrison who died intestate without legitimate issue  
 next of kin or legal lineal heirs possessed of considerable  
 estate in said county. That John Brill of said County  
 of Harrison and State aforesaid has been appointed by  
 your honorable Court administrator of all and singular the  
 goods and Chattels, rights and credits which were of the  
 said Bernard Benoit senior deceased at the time of his  
 death and who died intestate, and has in his hands the  
 whole of said estate in which estate your petitioner is  
 largely interested. The State of Mississippi by an Act approved  
 February 13<sup>th</sup> 1844 Entitled an act for the relief of Bernard  
 Benoit Jr. relinquished transferred and assigned unto your  
 Petitioner all the rights said estate had by escheat in and  
 to said Estate and provided that said estate should come  
 to and vest in the said Bernard Benoit in as full and ample  
 manner, as if the same had been bequeathed by will or he

had inherited as a legal heir, provided the rights of legal heirs and creditors be not injured thereby. and by virtue of the foregoing premises your petitioner being so interested he would represent to your honor that said Estate as does appear by the inventory and appraisement returned in this court is composed of thirteen negroes a large stock of Cattle horses colts other stock farming utensils and other effects of great value your petitioner would further represent that <sup>Wm C. Seaborn</sup> one of the security of said administrator has lately died and the whole of his estate has been by your honorable court been deemed sufficiently secured by a bond of \$, 500 and that the other security is not worth the amount of the bond required by this court from said administrator

Your Petitioner therefore humbly pray that your honor will consider the premises and order that said administrator be cited to appear at the next term of this court and give other good and sufficient security and in default thereof that his letters of administration be revoked.

Mrs  
Bernard X Benoit Jr  
Mark

Heurt & Meunier  
Solicitors

BENOIST 74

John Brill

Bernard Benoit Jr

W

John Brill, Administrator

37

Bill of Exemption

Filed this 19th day March

A.D. 1843

Wm Geo. Richardson

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State of Mississippi } In the Probate Court of said  
 Harrison County ss } County So March Special  
 Term A D 1845

Be it remembered that on the  
 27<sup>th</sup> of November 1845 Justine Joseph filed  
 his petition in the Clerk's office of the Probate  
 Court of Hancock County Mississippi. ~~There~~  
 in the words and figures following to wit. (Here  
 insert the Petition of Justine Joseph of the above  
 date.) And on the 26<sup>th</sup> of August 1844 Bernard  
 Benois Junior filed in the aforesaid office of the  
 aforesaid County & State a Petition to be made a  
 party to the suit pending in favor of Justine  
 Joseph vs John Brill & Administrator. Which  
 Petition is in the words and figures following to wit  
 (Here insert the above Petition of Bernard Benois  
 Jr) upon the reading of said Petition the Probate  
 Court of said County made the following order  
 at its August Term 1844. Bernard Benois Jr  
 vs Justine Joseph In Petition of Bernard Benois  
 Jr to be made a party to the suit now pending  
 between Justine Joseph and John Brill Adminis-  
 trator of the Estate of Bernard Benois Jr deceased  
 It is ruled that Justine Joseph do make the said

Petitioner a party as prayed for at the next Term of this Court or show Cause to the contrary and if Cause to the contrary should be shown that a copy thereof be served upon the opposite party or his attorney of record ten days previous to the expiration of said rule. And the said Justine Joseph by his Solicitor on the 13th of November 1843 filed in the office of the Probate Court of Harrison County Mississippi an Answer to and before mentioned Petition of Bernard Benois Jr (here inserted the answer of Justine Joseph, which Petition of Bernard Benois Jr and the answer or objections of Justine Joseph came on to be heard on the first day of the aforesaid March Term and after argument of said Cause said Court decided that the said Justine Joseph should not be compelled to make said Bernard Benois a party to his petition to which decision of the Court the said Bernard Benois by his Counsel accepted & prays that this his bill of exceptions may be signed sealed and allowed by the Court which is accordingly done before the adjournment of the Court

Estate of B. Behoist

(8)

Interrogatory of Mrs.  
 Interrogatory to Louis  
 William et al. on  
 the part of Justice  
 Imple -

Interrogatory

The State of Mississippi - }  
Warren County - } Administrators of Bernard Benoit  
Term 1843. Probate Court of the said County, Interrog-  
atories to be propounded to Louis Durand, John B. Givart, Joseph Durato, and Mrs. Annette Nicholas  
who are residents of the State of Alabama and material  
witnesses for the petitioner in the ~~case of~~ Bernard Benoit. First direct  
interrogatory. Do you know the parties to this suit

if yes how long have you known them or either of  
them and where.

Interrogatory 2<sup>d</sup> Did you know Bernard Benoit in his life time, if  
yes, how long did you know him and where.

Interrogatory 3<sup>d</sup> Did the said Bernard have any legitimate children  
Interrogatory 4<sup>th</sup> Had the said Bernard any brothers or sisters, if yes  
are they living or dead and did they die for Bernard  
and what time.

Interrogatory 5<sup>th</sup> Is Givart Joseph the only next of kin of the said Bernard  
Benoit (dead) if yes, state your knowledge of it

Interrogatory 6<sup>th</sup> Did you know the mother of Givart Joseph, if yes, is she  
dead, and was she a free woman.

Interrogatory 7<sup>th</sup> Did you know Givart Joseph always to be a free man,  
if yes, state how you know it and whether you are  
interested in this suit in any manner.

Interrogatory 8<sup>th</sup> State all you know that will benefit the petitioner as fully  
as though you were a party to the suit.

as though you were a party to the suit.

Subscribed and sworn to before me this 10<sup>th</sup> day of May 1843  
at Warren County, Mississippi

J. P. Chapman  
Notary Public

Presented for the Court

Interrogatories to be propounded by the defendants - John  
Benoit, Administrators of the estate of Bernard  
Benoit. To Louis Durand, John B. Givart, Joseph  
Durato & Mrs. Annette Nicholas, which were answered

1<sup>st</sup> If to the first direct interrogatory you answer that you know the plaintiff Justice Joseph, how long have you known him, where did you first become acquainted with him and where was he at that time. How old is he now

2<sup>nd</sup> If to the second direct interrogatory, you answer that you know Bernard Benoit state when you first became acquainted with him, where was he residing, how old was he when you first saw him, when did you last see him, who was his father, was he a white man or a Negro, If his father was a white man was he an American or a foreigner. If a foreigner from what country did he come

3<sup>rd</sup> If to the third interrogatory, you answer that Bernard Benoit had not any legitimate children, then state how you knew that fact

4<sup>th</sup> If to the fourth direct interrogatory, you answer that Bernard Benoit had brothers and sisters, state distinctly how you know that fact

5<sup>th</sup> If to the fifth direct interrogatory, you answer that you know Justice Joseph to be the only next of kin to the said Bernard Benoit state distinctly how you came possessed of said information

6<sup>th</sup> If to the sixth direct interrogatory, you answer that you know the mother Justice Joseph and that she was a free woman, state why you believe her to have been free state also who was her father, was he a white man or a Negro, what was his name

7<sup>th</sup> If to the seventh direct interrogatory, you answer that you know Justice Joseph always to have been a free man, state fully your ground of knowledge state also who was his father & whether he was a white man or a Negro

8<sup>th</sup> I demand anything further that will be of service to the defendant and the same as fully as if particularly interrogated thereto

E. P. Fourniquette  
Attorney for Defendant

Bechoist 80

In the Court of Probate of Harrison Co

Justin Joseph

vs

John Brill admr

Interrogatus to B. Grout

(12)

Filed November 24<sup>th</sup> 1845

W. G. Evans Clerk

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Justin Joseph

v

John Brill adm'r

In the Court of Probate of Morrison County  
 Direct interrogatories to be propounded to Bartholomew  
 Goret a material witness residing in the State of Alabama  
 and whose answers will be used as evidence on the trial of the above entitled case  
 at the February Term of the said Court

Interrogatory 1<sup>st</sup>

Were you or were you not acquainted with Bernard Benoit deceased  
 if you state when and where you first knew him, who were his  
 father and mother were they white or colored were they ever  
 married was the mother of said Bernard Benoit ever married to

2<sup>nd</sup>

Did or did not Bernard Benoit ~~brother~~ have any other  
 children if you state who and what they were were they any  
 of them ever married what has become of them

3<sup>rd</sup>

do you or do you not know the complainant in this suit if you  
 state who's child he is what relation he is to the said Bernard  
 Benoit deceased were ever his parents married.

4<sup>th</sup>

under this interrogatory state in full all you know of the  
 parents of said complainant which may be to an advantage to  
 the defendant as fully as if specially interrogated thereon.

Q. W. Hunt.

for Defendant -



(5)

Estate of  
Bernard Benoit

of Sales

Le Chateau de St. Louis

filed 27<sup>th</sup> May 1844

Jm. P. Benoit

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May 1844

BENOIST 82

BENOIST 83

Amount of sales of cattle made by  
 Louis A. Caillavet Adm. of Bernard  
 Benoit on the Monday of A.D 1843  
 by order of Probate Court.

To M. M. Livratman	2	Ref cattle	@ \$9 $\frac{1}{2}$	\$19.00
" J. B. Ladner	4	"	@ \$7.50	30.00
" Allen Henley	2	"	@ \$6 $\frac{1}{2}$	13.00
" James Canthess	1	"	"	6.25
" D. McBean	2	"	@ \$6	12.00
				<u>\$86.25</u>

L. A. Caillavet  
 Administrator

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Estate of Barnard Penn

BENOIST 84

Answers of John Penn Penn  
to Petition of  
Julius Joseph

(2)  
May Term AD 1844

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The State of Mississippi }  
Harrison County }

Estate of Barnard Benoit }  
John Bull Administrator } Probate Court Harrison County  
= Try May Term thereof AD 1844

John Bull Administrator of all and singular the goods & Chattels, Lands & Tenements which were of Barnard Benoit deceased, comes & answers the Petition of Festine Joseph, calling upon the said Administration, to make due return to the said Festine Joseph, as next of kin at Law, and next of kin of the said Barnard Benoit deceased, comes into Court, and for answer to said Petition, denies generally & specially, that the said Festine Joseph is the next of kin at Law & next of kin to the said Barnard Benoit. And Prays the Court that the said Festine Joseph may be held to strict proof of his allegations as to the deceased Barnard Benoit & his right to claim distribution as set for in his said Petition - And in default thereof, that he be dismissed hence - with an award for your Respondent's proper Cost in this behalf expended

And your Respondent as in duty bound will ever pray

John Bull Administrator  
By E. H. Fournier  
Attorney -

The Complainant Festine Joseph files  
this in replication to the above -  
in order to consent of do ft.  
W. E. Moody &

Justin Joseph  
Peterson for  
distribution

vs

John Bricker

Adm - of Benoit

& Benoit dnd

Filed in open court  
this 27<sup>th</sup> day of 27  
November 1843.

Wm. Haman *clerk*

No 1 -

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GENEALOGY COLLECTION

State of Mississippi } To the Hon  
Harrison County } Benoit 87  
Holly Judge of  
of The said County - The Petition of

John Joseph a resident of the City of  
Mississippi respectfully shew unto  
your Honor that he is the only heir  
at Law of <sup>deceased</sup> Bernard Benoit dec'd  
late of the said County. That the said  
Bernard died intestate leaving no lawful  
issue that John Joseph has been duly  
appointed Administrator of said Bernard

That there is <sup>no</sup> debts against said Bernard's  
Estate of any consequence that he left  
a considerable amount of personal property  
consisting of Negroes Stock Farming Utensils  
and other property as may be seen by a  
reference to the ~~proceedings~~ proceedings  
of the said Estate in your Honor Court

Your Petitioner would further shew  
that more than twelve months have  
elapsed since the granting Letters of  
Administration to said Administrator

Wherefore in consideration of the  
premises Your Petitioner prays  
your Honor to grant a rule  
on the said Administrator to make

distribution of said Bernard's  
Estate to your Petitioner and  
as in duty bound your Petitioner  
will ever pray &c.

W. C. Stanley  
Atty or Petitioner

W. A. Champin atty  
for Claimant

Personally appeared in open Court  
W. A. Champin attorney for Defendant  
Joseph, sworn solemnly, sworn deposed  
and said that all the facts set forth  
as of his own knowledge are true  
and those stated as derived from  
others he believes to be true

Sworn to open Court

W. A. Champin

W. C. Stanley